

REMARKS

Claims 2, 3 and 7 are pending. By this Amendment, claims 2, 3 and 7 are amended.

Entry of the Amendment is proper under 37 CFR §1.116 since the Amendment: (a) places the application in condition for allowance for the reasons discussed herein; (b) does not raise any new issues requiring further search and/or consideration; (c) does not add any additional claims; and (d) places the application in better form for appeal, should an appeal be necessary. Entry of the Amendment is thus respectfully requested.

The mailing of a Final Office Action is premature because the last Office Action for this application was a Final Office Action (see January 25, 2006 Office Action). It is improper to assert two consecutive Final Office Actions, especially when Applicants' March 20, 2006 Request for Reconsideration did not amend the claims (and thus Applicants did not provide an amendment that necessitated the new ground for rejection present in the current Office Action). Contrary to page 2 of the Office Action, Applicants' representative did not agree that this Office Action should be a Final Office Action. It is respectfully requested that the After Final status be withdrawn.

Claims 2, 3 and 7 were rejected under 35 U.S.C. §112, second paragraph. By this Amendment, claims 2, 3 and 7 have been amended based on the comments presented on pages 2 and 3 of the Office Action. It is respectfully requested that the rejection be withdrawn.

Claims 2, 3 and 7 were rejected under 35 U.S.C. §103(a) over Roy et al. (Roy), U.S. Patent No. 6,496,859, in view of Bruck et al. (Bruck), U.S. Patent No. 6,801,949. The rejection is respectfully traversed.

Roy and Bruck fail to provide any disclosure or suggestion with regard to using a particular multicast address, as recited in claims 2, 3 and 7, or identify the problems presented (page 2, lines 17-23 of Applicants' specification) and solved (page 14, lines 3-10 of

Applicants' specification) by using a particular multicast address. In other words, Roy and Bruck fail to disclose or suggest a request packet transmitting unit that transmits a request packet to a particular multicast address or a setting packet transmission unit that transmits a setting packet to the particular multicast address, as recited in claim 2 and as similarly recited in claims 3 and 7.

Roy discloses network devices 35 and a management station 5 with a HTTP server (col. 3, lines 27-37). After receiving a device discovery request 55, the HTTP server spawns a device discovery task 10, which is a subset of a typical SNMP manager that sends SNMP request UDP broadcast packets 70 to all of the network devices 35 (col. 3, lines 60-64).

Roy thus fails to provide any disclosure with regard to using a particular multicast address, but instead uses a broadcast to transmit information (col. 6, lines 10-15).

Bruck fails to overcome the deficiencies of Roy because Bruck, for reasons similar to Roy, fails to disclose using a multicast address.

It is respectfully requested that the rejection be withdrawn.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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